

REMARKS

The final Office Action mailed January 22, 2009 and the Advisory Action mailed May 15, 2009 have been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1, 2, 4-11, 13-38, 40-75, and 79-85 are now pending in this application. Claims 1, 2, 4-11, 13-38, 40-75, and 79-85 stand rejected.

In the Advisory Action mailed May 15, 2009, the Examiner alleges that in Veerasamy a customer with a service plan is given a priority over those without a service plan, and even though a customer designates himself as high, low, or regular priority, it is inherent that those without a service plan are given no priority at all. Applicants respectfully disagree.

In contrast to the Examiner's allegation, Veerasamy does not base a priority of a call on whether a user has a service plan. That is, regardless of whether a user has a service plan, a priority of a call in Veerasamy is based on an election by a user to be considered high, regular, or low priority. As a default, if a user has not elected a priority, regardless of whether the user has a service plan, the user will automatically be considered regular priority until otherwise elected by the user. Users do not get priority based on having a service plan. Thus, it is not "inherent" that users without a service plan are given no priority.

Further, MPEP § 2112 (V) states that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981). *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981). "To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." Thus, as the

Examiner has merely provided a possibility that a user without a service plan is given no priority and has not provided extrinsic evidence that makes clear a user without a service plan is given no priority, the Examiner has not provided proper evidence of inherency.

In addition, the Examiner's assertion that there is a limited number of predictable solutions is merely conclusory and without support. To this end, Applicants request the Examiner to provide citation to an additional reference, or specific support within one of the cited references that those without a service plan are not given any priority.

I. Section 103 rejection of Claims 1, 2, 4-11, 13-18, 28-38, 40-45, 73, and 79-85

The rejection of Claims 1, 2, 4-11, 13-18, 28-38, 40-45, 73, and 79-85 under 35 U.S.C. § 103(a) as being unpatentable over Customer Support System (CircuitCity.com) (hereinafter referred to as "Customer Support System") in view of U.S. Publication No. 2001/0053980 to Suliman, Jr. et al. (hereinafter referred to as "Suliman, Jr."), further in view of U.S. Publication No. 2001/0011225 to O'Connor et al. (hereinafter referred to as "O'Connor"), and further in view of U.S. Patent No. 6,208,865 to Veerasamy (hereinafter referred to as "Veerasamy") is respectfully traversed.

Customer Support System describes a system for providing customer support related to product services and repairs. In the system, an authorized service provider has trained technicians ready to troubleshoot and repair a plurality of products. Notably, as acknowledged by the Examiner, Customer Support System does not describe or suggest providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty.

Suliman, Jr. describes a registration system that may be linked to a plurality of service organizations that provide maintenance and repair services for consumer products (see Suliman, Jr. paragraph [0014]). Throughout a life of a product, a consumer will preferably utilize provided repair links to service his/her registered products (see Suliman, Jr. paragraph [0076]). A consumer can link to a repair shop that specializes in a particular product sought to be registered (see Suliman, Jr. paragraph [0076]). In this fashion, the consumer can schedule to bring the product in for maintenance or repair (see Suliman, Jr. paragraph [0076]). Consumers can schedule repairs and maintenance for their registered products with local service organizations at a touch of a button (see Suliman, Jr. paragraph [0014]). The registration system includes an account summary page (800) that includes a

product summary field (820) in which each product registration information file is listed (see Suliman, Jr. paragraph [0063]). From this field, consumers can access information, service, repair, secondary market and other product related links (see Suliman, Jr. paragraph [0063]). Notably, as acknowledged by the Examiner, Suliman, Jr. does not describe or suggest providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty.

O'Connor describes an internet enabled system whereby clients may review small businesses and schedule appointments for service. Businesses are grouped into regional zones defining regions within which clients may be expected to easily travel to keep appointments. Each business presents an advertisement, and each advertisement is implemented with one or more hyperlinks. The hyperlinks may be used to make appointments. Notably, as acknowledged by the Examiner, O'Connor does not describe or suggest providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty.

Veerasamy describes a wireless communication system, such as a cellular communication system that prioritizes calls that have a low, regular or high priority. The communication channels provided by a base station 14A are divided into regular channels and reserved channels. All calls are connected on regular channels until the regular channels are all full. When the regular channels are all full, then regular priority calls are connected as low priority calls or not at all. If a regular priority call is connected as a low priority call it is connected via a reserved channel. Once all the reserved channels are full, then a high priority call is attempted to be connected by dropping a low priority call and using the reserved channel that the low priority call was using. (See Veerasamy, column 2, lines 37-49). The base station 14A distinguishes between a regular or high priority subscriber. The base station 14A may also distinguish between a regular, high or low priority call. (See Veerasamy, column 3, lines 65-67). Regular calls (regular priority calls) are calls that are an origination or hand-off call that do not have any priority information associated with them. (e.g., they may be prioritized as regular priority). (See Veerasamy, column 4, lines 19-22). Low priority calls are calls wherein the user has allowed the call to be placed using a reserved channel. (See Veerasamy, column 4, lines 29-31). The customer or user can designate himself as a high, low or regular priority user either at the beginning of each call or via the contract or service plan with the wireless communication provider. (See

Veerasamy, column 4, lines 45-48). A call is connected as a low priority call if the caller is a “regular customer” or has designated the call to be a low priority call. (See Veerasamy, column 5, lines 5-8). An available reserve channel is designated to carry a high priority call if the user is a high priority user or if the user specifically designated the call as a high priority call via a special code or otherwise. (See Veerasamy, column 5, lines 11-14).

A. Claim 1

Claim 1 recites a method of enabling scheduling of a service call in a computing environment, wherein the method includes “obtaining product information regarding a product from a user of the computing environment; validating product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; establishing a priority order to a service call among a plurality of service calls based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; determining by a first computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; automatically providing to the user, from whom the product information is obtained, at least one available appointment based on the priority order within a calendar schedule in real-time for scheduling a service call with at least one of the manufacturer and the service provider based on the product information and on said determination made by the first computing unit without interaction between the user and any other human being, and enabling the user to select one available appointment in real-time for at least one service provider from the calendar schedule; and automatically providing a service call price estimate that varies based on a regional location of the user, without interaction between the user and any other human being.”

None of Customer Support System, Suliman, Jr., O’Connor, and Veerasamy, considered alone or in combination, describes or suggests a method of enabling scheduling of a service call as recited in Claim 1. More specifically, none of Customer Support System, Suliman, Jr., O’Connor, and Veerasamy, considered alone or in combination, describes or suggests establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority is given to a service call regarding a product that does not have a warranty

than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on page 7 of the Office Action, none of Customer Support System, Suliman Jr., and O'Connor describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. Applicants respectfully disagree.

The Examiner alleges:

1) that Veerasamy describes that users with a service plan are designated a priority for a service;

2) because users with a service plan in Veerasamy are designated a priority for a service, inherently those without the service plan have no or very low priority;

3) “it would have been obvious to one of ordinary skill in the art that there are a limited number of predictable solutions to granting priority based on a warranty;”

4) “it would have been obvious to try, by one of ordinary skill in the art . . . , one of the scenarios [laid out in Veerasamy] and incorporate it into the system since there are a finite number of identified, predictable solutions to the recognized need;” and

5) “one of ordinary skill in the art could have pursued known potential solutions [in Veerasamay] with a reasonable expectation of success.”

Applicants respectfully disagree with each of the above allegations.

1) Veerasamy describes that users with a service plan are designated a priority for a service.

The Examiner alleges that Veerasamy describes that users with a service plan are designated a priority for a service. However, nowhere in Veerasamy does it describe or suggest that users with a service plan are designated a priority for a service. In contrast, Veerasamy describes that “[t]he customer or user can designate himself as a high, low or regular priority user either at the beginning of each call or via the contract or service plan

with the wireless communication provider.” (See Veerasamy, column 4, lines 45-48). That is, in contrast to the present invention, the users are not designated a priority, the users designate themselves a level of priority.

2) Because users with a service plan in Veerasamy are designated a priority for a service, inherently those without the service plan have no or very low priority.

In contrast to the Examiner’s allegation, Veerasamy does not base a priority of a call on whether a user has a service plan. Veerasamy describes that “[t]he customer or user can designate himself as a high, low or regular priority user either at the beginning of each call or via the contract or service plan with the wireless communication provider.” (See Veerasamy, column 4, lines 45-48). That is, in contrast to the present invention, the users are not designated a priority, the users designate themselves a level of priority. Thus, regardless of whether a user has a service plan, a priority of a call in Veerasamy is based on an election by a user to be considered high, regular, or low priority. As a default, if a user has not elected a priority, whether the user has a service plan, the user will automatically be considered a regular priority call until otherwise elected by the user. Users do not get priority based on having a service plan. Thus, it is not “inherent” that users without a service plan are given no or very little priority.

Further, MPEP § 2112 (V) states that the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. *In re Rijckaert*, 9 F.3d 1531, 1534, 28 USPQ2d 1955, 1957 (Fed. Cir. 1993) (reversed rejection because inherency was based on what would result due to optimization of conditions, not what was necessarily present in the prior art); *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981). *In re Oelrich*, 666 F.2d 578, 581-82, 212 USPQ 323, 326 (CCPA 1981). “To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.” Thus, as the Examiner has merely provided a possibility that a user without a service plan is given no priority and has not provided extrinsic evidence that makes clear a user without a service plan is given no priority, the Examiner has not provided proper evidence of inherency. To

this end, Applicants request the Examiner to provide one of a further reference, or provide specific support within one of the cited references that those without a service plan are not given any priority. As mentioned above, merely stating that there is a possibility is not enough.

3) It would have been obvious to one of ordinary skill in the art that there are a limited number of predictable solutions to granting priority based on a warranty.

In contrast to the Examiner's allegation, nowhere does Veerasamy describe or suggest granting priority based on a warranty. At best, Veerasamy describes granting a priority of a call based on a designation by a user to be a low priority, regular priority, or high priority in a service plan or contract. One of ordinary skill in the art would not have considered a warranty of a product to be the same as a wireless service plan or contract. Therefore not only does Veerasamy neither describe nor suggest designating priorities because the users select their own level of priority, one of ordinary skill in the art would not be aware of any solution to granting priority based on warranty from the teachings of Veerasamy.

In addition, the Examiner's assertion that there is a limited number of predictable solutions is merely conclusory and without support. To this end, Applicants request the Examiner to provide citation to an additional reference, or specific support within one of the cited references that those without a service plan are not given any priority.

4) It would have been obvious to try, by one of ordinary skill in the art, one of the scenarios laid out in Veerasamy and incorporate it into a system because there are a finite number of identified, predictable solutions to the recognized need.

The recognized need described in Veerasamy is not the same need that is met with the present invention. As described in Veerasamy at column 2, lines 5-22:

There is a need for a system that can handle an over capacity or high capacity situation which drops the least number of calls. There is a need for a wireless telecommunication system than can handle peak moments and decide how to prioritize calls when the communication traffic exceeds that of a cell's capacity. What is needed is a system adapted to handle the growing use and demand of a cellular channels without degrading the

system by adding too much complexity, and that can maintain customer satisfaction by not dropping a customer's call for seemingly no reason. Furthermore, such a technique for increasing the efficiency of a wireless system should further optimize virtually any wireless system (digital or analog) by utilizing reserved channels without disabling a priority user from utilizing such a reserved channel when necessary. What is also needed is a wireless system to prioritize calls when the available channels are being heavily utilized. (emphasis added)

The recognized need of Veerasamy is minimizing dropped calls when a wireless system is at capacity. Therefore, even if there was a finite number of identified, predictable solutions to the recognized need of minimizing dropped calls when a wireless system is at capacity, it would not have been obvious to one of ordinary skill in the art, from the teachings of Veerasamy, to establish a priority order to a service call appointment among other service call appointments by a first computing unit based on a warranty service information of a product, wherein a higher priority is given to a service call appointment regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 1.

5) One of ordinary skill in the art could have pursued known potential solutions with a reasonable expectation of success.

As mentioned above, the known potential solutions described in Veerasamy are for minimizing dropped calls when a wireless system is at capacity, and at best, Veerasamy would provide one of ordinary skill in the art a system and method to minimize dropped calls (from a cellular phone) from users who are calling to schedule a service call appointment in order to have someone repair a home appliance that is not working properly. However, the need and use of a phone call to schedule an appointment for a service call is exactly what Applicants' invention teaches against, "[t]ypically, the person answering the telephone call for the appliance repair service is often unable to aid the user in identifying the problem with the appliance, unable to provide an estimate for repair of the appliance, and/or unable to determine whether the appliance is covered by a warranty. There is a need for a real-time, on-line method and system for enabling a homeowner to schedule a service call for repair of an appliance..." (See Background of Applicants' Specification).

6) Conclusion

Veerasamy does not describe or suggest that users are designated a priority for a service and therefore it would not have been inherent that users without a service plan are designated with no or very low priority.

Veerasamy does not describe or suggest granting priority based on a warranty and thus one of ordinary skill in the art would not be aware of any solution to granting priority based on warranty from the teachings of Veerasamy.

It would not have been obvious to one of ordinary skilled in the art, from the teachings of Veerasamy, to establish a priority order to a service call appointment among other service call appointments by a first computing unit based on a warranty service information of a product, wherein a higher priority is given to a service call appointment regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty as recited in Claim 1, even if there was a finite number of identified, predictable solutions to the recognized need of minimizing dropped calls when a wireless system is at capacity as described in Veerasamy.

One of ordinary skill in the art could not have pursued known potential solutions described in Veerasamy with a reasonable expectation of success to achieve the features of Claim 1.

For at least the reasons set forth above, Veerasamy does not remedy the deficiencies of Customer Support System, Suliman, Jr., and O'Connor, in describing or rendering obvious the features of Claim 1, and thus Claim 1 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of O'Connor, and further in view of Veerasamy.

Claims 2, 4-11, 13-18, 73, and 79-85 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2, 4-11, 13-18, 73, and 79-85 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2, 4-11, 13-18, 73 and 79-85 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of O'Connor, and further in view of Veerasamy.

B. Claim 28

Claim 28 recites a system for enabling scheduling of a service call in a computing environment, wherein the system includes “at least one processor adapted to obtain product

information regarding a product from a user of the computing environment; and said at least one processor adapted to: validate product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; establish a priority order to a service call among a plurality of service calls based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; provide to the user, from whom the product information is obtained, at least one available appointment based on the priority order in real-time for scheduling a service call, wherein the at least one available appointment is based on the product information and on the determination made by said at least one processor, and said at least one processor adapted to provide the at least one available appointment based on a determination to display the at least one available appointment within a calendar schedule in real-time for scheduling the service call; and provide to the user, prior to scheduling the service call, a price estimate that varies based on a regional location of the user for the service call without interaction between the user and any other human being.”

None of Customer Support System, Suliman, Jr., O’Connor, and Veerasamy, considered alone or in combination, describes or suggests a system for enabling scheduling of a service call in a computing environment as recited in Claim 28. More specifically, none of Customer Support System, Suliman, Jr., O’Connor, and Veerasamy, considered alone or in combination, describes or suggests establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on page 7 of the Office Action, none of Customer Support System, Suliman Jr., and O’Connor describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity and therefore Veerasamy does not remedy the

deficiencies of Customer Support System, Suliman, Jr., and O'Connor, in describing or rendering obvious a system including a processor adapted to establish a priority order to a service call among a plurality of service calls based on product warranty service information, wherein a higher priority is given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 28.

Thus, for at least the reasons set forth above with respect to Claim 1, Claim 28 is also submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of O'Connor, and further in view of Veerasamy.

Claims 29-38 and 40-45 depend, directly or indirectly, from independent Claim 28. When the recitations of Claims 29-38 and 40-45 are considered in combination with the recitations of Claim 28, Applicants submit that dependent Claims 29-38 and 40-45 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of O'Connor, and further in view of Veerasamy.

C. Conclusion

For at least the reasons set forth above, Applicant respectfully requests that the Section 103 rejection of Claims 1, 2, 4-11, 13-18, 28-38, 40-45, 73, and 79-85 be withdrawn.

II. Section 103 rejection of Claims 19-23, 25-27, 46-72, 74, and 75

The rejection of Claims 19-23, 25-27, 46-72, 74, and 75 under 35 U.S.C. § 103(a) as being unpatentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy, is respectfully traversed.

A. Claim 19

Claim 19 recites a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, wherein the method includes “obtaining product information regarding a product at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network; validating product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; establishing a priority order to a service call among a plurality of service calls by the first computing unit based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; determining, by the second computing unit including a web browser, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; automatically providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment based on the priority order in real-time for scheduling a service call based on the product information and based on said determination made by the second computing unit, wherein said automatically providing includes providing without interaction between the user and any other human being, and said automatically providing includes providing based on a determination to display the at least one available appointment in real-time within a calendar schedule for scheduling the service call; and automatically providing from the first computing unit to the user, prior to scheduling the service call, a price estimate that varies based on a regional location of the user for the service call without interaction between the user and any other human being.”

None of Customer Support System, Suliman, and Veerasamy, considered alone or in combination, describes or suggests a method of enabling scheduling of a service call for repair of a home appliance in a computing environment as recited in Claim 19. More

specifically, none of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on pages 20 and 21 of the Office Action, neither Customer Support System nor Suliman Jr. describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity, and therefore Veerasamy does not remedy the deficiencies of Customer Support System and Suliman, Jr. in describing or rendering obvious a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, including a processor adapted to establish a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 19.

For at least the reasons set forth above, Claim 19 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

Claims 20-23, 25-27, and 74 depend, directly or indirectly, from independent Claim 19. When the recitations of Claims 20-23, 25-27, and 74 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 20-23, 25-27 and 74 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

B. Claim 46

Claim 46 recites a system for enabling scheduling of a service call for repair of a home appliance in a computing environment, wherein the system includes “means for obtaining product information regarding a product at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing

unit via a communications network, wherein said first computing unit includes a web browser, is configured to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; means for validating product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; means for establishing a priority order to a service call among a plurality of service calls based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; means for providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment based on the priority order in real-time for scheduling a service call based on the product information and the determination made by said first computing unit, wherein the means for providing provides without interaction between the user and any other human being, and said means for providing provides the at least one available appointment based on a determination to display to the user the at least one available appointment within a calendar schedule in real-time for scheduling the service call; and means for providing from the first computing unit to the user, prior to scheduling the service call, a price estimate that varies based on a regional location of the user for the service call without interaction between the user and any other human being.”

None of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests a system for enabling scheduling of a service call for repair of a home appliance in a computing environment as recited in Claim 46. More specifically, none of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests a means for establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on pages 20 and 21 of the Office Action, neither Customer Support System nor Suliman Jr. describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect

to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity, and therefore Veerasamy does not remedy the deficiencies of Customer Support System and Suliman, Jr. in describing or rendering obvious a means for a system including a processor adapted to establish a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 46.

For at least the reasons set forth above, Claim 46 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

Claims 47-54 depend, directly or indirectly, from independent Claim 46. When the recitations of Claims 47-54 are considered in combination with the recitations of Claim 46, Applicants submit that dependent Claims 47-54 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

C. Claim 55

Claim 55 recites at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by the machine to perform a method of enabling scheduling a service call, wherein the method includes “obtaining product information regarding a product from a user; validating product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; establishing a priority order to a service call among a plurality of service calls based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; determining, by the machine, whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; automatically providing to the user, from whom the product information is obtained, at least one available appointment based on the priority order in real-time for scheduling a service call based on the product information and said determination made by the machine, wherein said automatically providing includes providing without interaction between the user and any other human being, and said automatically providing includes

providing based on a determination to display the at least one available appointment within a calendar schedule in real-time for scheduling the service call; and automatically providing to the user, prior to scheduling the service call, a price estimate that varies based on a regional location of the user for the service call without interaction between the user and any other human being.”

None of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by the machine to perform a method of enabling scheduling a service call as recited in Claim 55. More specifically, none of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on pages 20 and 21 of the Office Action, neither Customer Support System nor Suliman Jr. describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity, and therefore Veerasamy does not remedy the deficiencies of Customer Support System and Suliman, Jr. in describing or rendering obvious a system including a processor adapted to establish a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 55.

For at least the reasons set forth above, Claim 55 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

Claims 56-63 depend, directly or indirectly, from independent Claim 55. When the recitations of Claims 56-63 are considered in combination with the recitations of Claim 55,

Applicants submit that dependent Claims 56-63 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

D. Claim 64

Claim 64 recites an article of manufacture including “at least one computer usable medium having computer readable program code means embodied therein for causing a scheduling of a service call for repair of a home appliance, the computer readable program code means in said article of manufacture comprising: computer readable program code means for causing a computer to obtain product information regarding a product at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network; computer readable program code means for causing a computer to determine whether the product is serviced by a manufacturer of the product or a service provider different than the manufacturer; computer readable program code means for validating product warranty service information of the product in real-time from a database including warranty service information based on at least one of the product information and customer information obtained from the user; computer readable program code means for establishing a priority order to a service call among a plurality of service calls by the first computing unit based on the product warranty service information, a higher priority given to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty; computer readable program code means for causing a computer to provide from the first computing unit to the user that input the product information at the second computing unit at least one available appointment based on the priority order of the service call in real-time for scheduling a service call based on the product information and the determination made by the computer readable program code means for causing a computer to determine whether the product is serviced by the manufacturer of the product or the service provider different than the manufacturer, and said computer readable program code means for causing a computer to provide the at least one available appointment causes a computer to provide the at least one available appointment based on a determination to display the at least one available appointment within a calendar schedule in real-time for scheduling the service call; and computer readable program code means for causing a computer to provide from the first computing unit to the user, prior to scheduling the service

call, a price estimate that varies based on a regional location of the user for the service call without interaction between the user and any other human being.”

None of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests an article of manufacture as recited in Claim 64. More specifically, none of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests a computer readable program code means for establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on pages 20 and 21 of the Office Action, neither Customer Support System nor Suliman Jr. describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity, and therefore Veerasamy does not remedy the deficiencies of Customer Support System and Suliman, Jr. in describing or rendering obvious a computer readable program code means for a system including a processor adapted to establish a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty, as recited in Claim 64.

For at least the reasons set forth above, Claim 64 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

Claims 65-72 depend, directly or indirectly, from independent Claim 64. When the recitations of Claims 65-72 are considered in combination with the recitations of Claim 64, Applicants submit that dependent Claims 65-72 likewise are patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

E. Claim 75

Claim 75 depends directly from independent Claim 28, which is recited above.

None of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests a system for enabling scheduling of a service call as recited in Claim 28. More specifically, none of Customer Support System, Suliman, Jr., and Veerasamy, considered alone or in combination, describes or suggests establishing a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As acknowledged by the Examiner on pages 20 and 21 of the Office Action, neither Customer Support System nor Suliman Jr. describes or suggests providing a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty. As such, the Examiner relies on Veerasamy as allegedly describing this feature. However, as set forth above with respect to Claim 1, Veerasamy merely describes a system and method for minimizing dropped calls when a wireless system is at capacity, and therefore Veerasamy does not remedy the deficiencies of Customer Support System and Suliman, Jr. in describing or rendering obvious a system including a processor adapted to establish a priority order to a service call among other service calls by a first computing unit based on a warranty service information of a product, wherein a higher priority to a service call regarding a product that does not have a warranty than a priority given to a service call regarding a product that has a warranty as recited in Claim 28.

For at least the reasons set forth above, Claim 28 is submitted to be patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

When the recitations of Claim 75 are considered in combination with the recitations of Claim 28, Applicants submit that dependent Claim 75 likewise is patentable over Customer Support System in view of Suliman, Jr., further in view of Veerasamy.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 19-23, 25-27, 46-72, 74, and 75 be withdrawn.

Further, it appears that Claim 24 was not explicitly rejected in the outstanding Office Action. Claim 24 depends directly from independent Claim 19, which Applicants submit is patentable over the cited art. When the recitations of Claim 24 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claim 24 likewise is patentable over the cited art and notification to that effect is solicited.

III. Conclusion

The Commissioner is authorized to charge Deposit Account No. 01-2384 for any fees incurred during the pendency of this application.

In view of the foregoing amendment and remarks, this application is believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Respectfully submitted,

/Eric T. Krischke/

Eric T. Krischke
Reg. No.: 42,769
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102
314-621-5070